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EFS Transmission Sheet

January 15, 2009

| To: | Examiner Thane E. Underdah | nl | | | |
|-------|----------------------------|--|-----------|------|--|
| From: | Stephen P. Burr | | | | |
| Re: | In re the Application of: | Teruo NISHIDA, Yorihisa UETAKE and Hiroaki IWATA | | | |
| | Serial No.: 10/540,446 | | Art Unit: | 1651 | |
| | Date Filed: May 8, 2006 | | Conf. No. | 4642 | |
| | Title: OPHTHALMOLOGIC | CAL COMPOSITI | ION | | |
| | Our Docket No.: 868_007 | | | | |

I hereby certify that the following ____7 page(s) including this cover is/are being transmitted via EFS to the Patent and Trademark Office on *January 15, 2009*:

| | <u>Paper</u> | Index of Pages | # of Pages |
|----|---------------------------------------|----------------|------------|
| 1. | Cover Page | | 2 |
| 2. | Amendment | | |
| | ► Amendment After Non-Final Rejection | 1-1 | 1 |
| | ► Claims | 2-3 | 2 |
| | ► Remarks/Arguments | 4-5 | 2 |
| | Total | l Pages | 7 |

Tara L. Preston

| | | | | CLAIMS | | | |
|--|-----------------------------|--|---|--|--|-------------------------------|--------------------------|
| (| 1) | (2) Claims Remaining After Amendment | (3) | (4) Highest Number Previously Paid | (5) No. of Extra Claims Present | (6) Rate (Large Entity) | (7) Additional Fee |
| | TAL AIMS | | | \$00.0 | | | |
| | DEP. AIMS | 1 | 1 MINUS 4 0 \$220.00 | | \$00.0 | | |
| | | | | TO | OTAL CLAIMS | FEE | \$00.0 |
| × | made to | nt believes that no exte provide for the possib n of time. | nsion of term is reality that applicant | has inadvertently or | his conditional petiverlooked the need | for a petition for | |
| | This is a above-id follows: | request under the pro- entified application. | visions of 37 CFR The requested exter | 1.136(a) to extend to a sion and appropriate | the period for filing te non-small entity | a reply in the fee are as | |
| . □ One Month (37 CFR 1.17(a)(1) | | | | | | | |
| □ Two Month (37 CFR 1.17(a)(2)\$490.00 | | | | | | | |
| | Three M | onth (37 CFR 1.17(a) | (3) | | \$1,110.00 | | |
| | | | OTHE | R MISCELLANEOU | IS FEES | | |
| | RCE Fil | ing Fee (37 CFR §1.1 | 7(e)) | | \$810.00 | | |
| _ | Termina | l Disclaimer (37 C.F.I | R. § 1.20(d)) | | \$140.00 | | |
| | Other: | | | | | | |
| | | | | SUBT | TOTAL OF FEES | DUE | \$ 0.0 |
| | Applica | nt claims small entity | status (37 CFR 1.2 | 7). Therefore, the f | ee amount is reduc | ed by one-half. | |
| | | | | | TOTAL FEES | DUE | \$ 0.0 |
| Ø | No add | itional fee is required. | | | | | |
| | The fee | es associated with this | paper are being pa | id electronically wi | th this submission. | | |
| ⊠ | The Co | ommissioner is hereby lit any overpayment to | authorized to char | ge payment of the f No. 50-1446. | ees associated with | this communication | ı |

| Submitted By: | | | | | | | |
|---------------|-----------|---------------|---|-----------|----------------|--------------|------------------|
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| Signature | | $\sqrt{}$ | | | | Date | January 15, 2009 |